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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Re: Application of: Juergen HOFFMANN  
Serial No.: 10/023,187 Confirmation No.: 3352  
Filed: December 17, 2001  
For: SCANNING MICROSCOPE  
Art Unit: 2878  
Examiner: Kevin Pyo  
Customer No: 23280

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

November 30, 2004

**AMENDMENT AND RESPONSE TO OFFICE ACTION**

Sir:

In response to the office action dated September 8, 2004 received in the above-identified application, applicant hereby respectfully requests reconsideration of the application based on the following amendments and remarks.

**Amendments to the Specification** begin on page 2 of this paper.

**Amendments to the Claims** are reflected in the listing of claims, which begins on page 4 of this paper.

**Amendments to the Drawings** being on page 6 of this paper and include two attached replacement sheets.

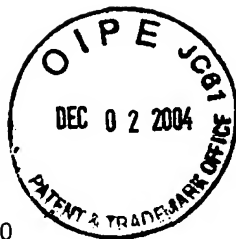
**Remarks** begin on page 7 of this paper.

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An **Appendix** including amended drawing figures is attached following page 9 of this paper.

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Mail Stop: AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

In re application of: Juergen HOFFMANN, et al.  
Serial No.: 10/023,817  
Filed: December 17, 2001  
For: SCANNING MICROSCOPE

Sir:

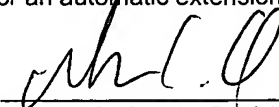
Transmitted herewith is a **Response to Office Action (9 pages)** in the above-identified application.

- ☐ Small entity status under 37 C.F.R. 1.9 and 1.27 has been previously established.  
☐ Applicants assert small entity status under 37 C.F.R. 1.9 and 1.27.  
☒ No fee for additional claims is required.  
☐ A filing fee for additional claims calculated as shown below, is required:

(Col. 1)		(Col. 2)		SMALL ENTITY		OR	LARGE ENTITY	
FOR:	REMAINING	HIGHEST		RATE	FEE		RATE	FEE
	AFTER	PREVIOUSLY	PRESENT					
	AMENDMENT	PAID FOR	EXTRA					
TOTAL CLAIMS	* Minus 20	=	0	x \$ 91	\$		x \$ 181	\$
INDEP. CLAIMS	* Minus 3	=	0	x \$ 441	\$		x \$ 881	\$
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				+ \$1501	\$		+ \$3001	\$
				TOTAL: \$		OR	TOTAL: \$	

- \* If the entry in Co. 1 is less than the entry in Col. 2, write "0" in Col. 3.  
 \*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.  
 \*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.

- ☒ Also transmitted herewith are:  
☐ Petition for extension under 37 C.F.R. 1.136  
☒ Other: **Two (2) Replacement Sheet Drawings**
- ☐ Check(s) in the amount of **\$0.00** is/are attached to cover:  
☐ Filing fee for additional claims under 37 C.F.R. 1.16  
☐ Petition fee for extension under 37 C.F.R. 1.136  
☐ Other:
- ☒ The Assistant Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-0552.
- ☒ Any filing fee under 37 C.F.R. 1.16 for the presentation of additional claims which are not paid by check submitted herewith.
- ☒ Any patent application processing fees under 37 C.F.R. 1.17.
- ☒ Any petition fees for extension under 37 C.F.R. 1.136 which are not paid by check submitted herewith, and it is hereby requested that this be a petition for an automatic extension of time under 37 CFR 1.136.

  
 William C. Gehris, Reg. No. 38,156  
 (signing for Erik R. Swanson, Reg. No. 40,833)  
 DAVIDSON, DAVIDSON & KAPPEL, LLC  
 485 Seventh Avenue, 14<sup>th</sup> Floor  
 New York, New York 10018  
 Tel: (212) 736-1940  
 Fax: (212) 736-2427

I hereby certify that the documents referred to as attached therein and/or fee are being deposited with the United States Postal Service as "first class mail" with sufficient postage in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" on November 30, 2004.  
 DAVIDSON, DAVIDSON & KAPPEL, LLC

BY: 

Oliver Platz